



A REGULAR MEETING OF THE WESLACO CITY COMMISSION

On this 20th day of September 2011 at 5:30 p.m., the City Commission of the City of Weslaco, Texas convened in Regular Session at City Hall in the Legislative Chamber, located at 255 South Kansas Avenue with the following members present:

Mayor	Miguel D. Wise
Mayor Pro-Tem	J.F. "Johnny" Cuellar
Commissioner	Robert J. Garza
Commissioner	Olga M. Noriega
Commissioner	Gerardo "Gerry" Tafolla
Commissioner	Lupe V. Rivera
Commissioner	Joe A. Martinez
City Manager	Leonardo Olivares
City Secretary	Elizabeth Walker

Also present: Rey Garcia, IT Director; Sonia Flores, Assistant Finance Director; Elvia Rios, Interim Human Resources Director; Police Chief Juan Sifuentes; Fire Chief Jimmy Cuellar; Jorge Gonzalez, Planning & Code Enforcement; Arnoldo Becho, Library Director; Martin Mata, Assistant Library Director; and several other staff members and citizens.

I. CALL TO ORDER

- A. Certification of Public Notice.
Mayor Wise called the meeting to order and certified the public notice of the meeting as properly posted Friday, September 16, 2011.
- B. Mayoral Proclamations and Recognitions.
The Mayor recognized the Daughters of American Revolution and the Children of the American Revolution in honor of Constitution Week.
- C. Invocation.
Reverend Cary Gillis of the Church of Christ gave the invocation.
- D. Pledge of Allegiance.
The Children of the American Revolution assisted Mayor Wise in the recitation of the Pledge of Allegiance and the Texas Flag.
- E. Roll Call.
Elizabeth Walker, City Secretary, called the roll, noting the City Attorney as absent.

II. STATUS REPORTS AND VISITORS WITH BUSINESS

- A. Hernan Gonzalez, Executive Director of the Economic Development Corporation of Weslaco (EDC), regarding monthly economic development activities with year-end

Mr. Hernan Gonzalez reported on the relocation of the Lower Rio Grande Valley Development Council, the completion of the Texas Department of Public Safety headquarters, the ongoing construction of PetCo, as well as the potential development of a steakhouse restaurant. He also reported that Woodcrafters has retained 526 employees, Weslaco Hills apartments expects to have 100% occupancy by the years end, and the Landing Rights Facility at the Airport is complete. Additionally, Gran Café de la Parroquia will open a coffee roasting facility in lot to the south to its present facility just as Construcciones Marquezinez from Veracruz will be purchasing four lots to construct warehouses. This fiscal year, the EDC has influenced 750 jobs to be created in Weslaco.

- B. Martha Noell, Executive Director of the Weslaco Area Chamber of Commerce, regarding monthly chamber activities. Attachment.

Ms. Martha Noell stated that in Weslaco as in across the Metropolitan Statistical Area (MSA), hospitality, medical facilities, and retail incite growth potential and not the manufacturing industry. Specifically, reports show that nature tourism, particularly with three nature centers in Weslaco, continue to have a significant economic impact. The Chamber has relocated to a new temporary facility at 255 S. Texas Boulevard without lapse in services.

- C. Ken Jones, Executive Director of the Lower Rio Grande Valley Development Council (LRGVDC), on the organization's relocation to Weslaco.

Mr. Ken Jones announced August 15, 2011 was the official day the LRGVDC made Weslaco its home. Mr. Jones reported the LRGVDC has 125 full time employees on staff, a \$19 million budget, and a transit center facility now based in Weslaco. He extended his appreciation to the City of Weslaco and its citizens for making them feel at home already.

III. CONSENT AGENDA

The following items are of a routine or administrative nature. The City Commission has been furnished with background and support material on each item, and/or it had been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by one commission member, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote. Possible action.

- A. Approval of the following Minutes:
1) Regular Meeting of September 6, 2011. Attachment.
2) Special Meeting of September 8, 2011. Attachment.
3) Special Meeting of September 9, 2011. Attachment.
4) Special Meeting of September 12, 2011. Attachment.
- B. Approval on Second Reading of Ordinance 2011-23 to amend Ordinance 320 and the City of Weslaco Zoning map to rezone Professional & Medical Plaza Phase I & II Subdivision, Weslaco, Texas, also being Farm Tract 17, West Tract Subdivision, Hidalgo County, Texas, from "R-1 Single Family Dwelling District" to "B-2 Secondary & Highway Business District" and authorize the Mayor to execute any

related documents. Attachment.

- C. Approval to not renew the agreement for Assistant Municipal Court Judge Services with the Honorable Jaime Balli upon completion of the current term of office expiring September 30, 2011 pursuant to Texas Government Code §29.005. Attachment.
- D. Approval of the renewal of the Cooperative Agreement between the Weslaco Police Department and the Drug Enforcement Administration (DEA) effective October 1, 2011 to September 30, 2012 by which the Weslaco Police Department continues to assign one (1) experienced officer to the McAllen HIDTA Task Force and HIDTA, subject to availability of funds, will reimburse for overtime payments not to exceed \$17,202.25. Attachment.
- E. Approval of Resolution 2011-51 in support of the Rio South Texas Regional Planning Consortium in seeking financial aid through an application to the 2011 Sustainable Communities Regional Planning Grant Program at no financial impact to the General Fund. Attachment.
- F. Approval of the renewal of the contract with the Texas Department of Transportation Aviation Division through the Routine Airport Maintenance Program Grant in Fiscal Year 2011-2012 for maintenance of the Automated Weather Observation Station (AWOS) on a 50/50 cost share for a total payment by the City of \$1,650.00 and authorize the Mayor to execute any related documents. Attachment.

Mayor Pro-Tem Cuellar, seconded by Commissioner Rivera, moved to approve the consent agenda as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

For the record, the Ordinances read as follows:

ORDINANCE NO. 2011-23

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 320 AND AMENDING THE ZONING MAP OF THE CITY OF WESLACO TO CHANGE THE ZONING OF FARM TRACT 17, WEST TRACT SUBDIVISION, HIDALGO COUNTY, TEXAS, ALSO BEING PROFESSIONAL & MEDICAL PLAZA PHASE I & II SUBDIVISION, WESLACO, TEXAS.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS:

SECTION I: Rezone from “R-1 Single Family Dwelling District” to “B-2 Secondary & Highway Business District”, Farm Tract 17, West Tract Subdivision, Hidalgo County, Texas, also being Professional & Medical Plaza Phase I & II Subdivision, Weslaco, Texas.

SECTION II: That this ordinance shall become effective upon its passage. **PASSED AND APPROVED** on first reading at a regular meeting of the City Commission this 6th day of September, 2011.

PASSED AND APPROVED on second reading at a regular meeting of the City Commission this 20th day of September, 2011.

RESOLUTION NO. 2011-51

IN SUPPORT OF THE RIO SOUTH TEXAS REGIONAL PLANNING CONSORTIUM TO APPLY FOR GRANT FUNDING FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, the Lower Rio Grande Development Council (LRGVDC) is the Regional Council of Governments serving Cameron, Hidalgo and Willacy Counties; and,

WHEREAS, the Department of Housing and Urban Development has announced the 2011 Sustainable Communities Regional Planning Grant Program; and,

WHEREAS, the Housing Funds shall be administered by the LRGVDC; and,

WHEREAS, all projects being considered for funding require the creation of a planning consortium; and,

NOW, THEREFORE, BE IT RESOLVED, that the Lower Rio Grande Valley Development Council agreed to the following:

The City of Weslaco affirms our commitment to the goals of the Sustainable Communities Partnership (The Partnership) between the U.S. Department of Transportation, U.S. Environmental Protection Agency (EPA), and the Department of Housing and Urban Development.

The City of Weslaco supports the Rio South Texas Regional Planning Consortium in seeking financial aide through an application for the 2011 Sustainable Communities Regional Planning Grant Program to create a Regional Plan for Sustainable Development that includes the six Livability Principles defined by The Partnership:

1. **Provide more transportation choices.** Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce green house gas emissions, and promote public health.
2. **Promote equitable, affordable housing.** Expand location- and energy efficient housing choices for people of all ages, incomes, race and ethnicities to increase mobility and lower the combined cost of housing and transportation.
3. **Enhance economic competitiveness.** Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers as well as expand business access to markets.
4. **Support existing communities.** Target Federal funding toward existing communities-through such strategies as transit-oriented, mixed-use development and land recycling-to increase community revitalization, improve the efficiency of public works investments, and safeguard rural landscapes.
5. **Coordinate policies and leverage investment.** Align federal policies and funding to remove barriers to collaboration, leverage funding and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy.
6. **Value communities and neighborhoods.** Enhance the unique characteristics of all communities by investing in healthy, safe and walkable neighborhoods – rural, urban, or suburban.

The City of Weslaco endorses the execution of a partnership agreement with all other organizations assisting in the efforts to create a Regional Plan for Sustainable Development. Furthermore, we hereby authorize Ken Jones, Executive Director to sign this agreement on the behalf of the LRGVDC.

BE IT FURTHER RESOLVED that we hereby pledge our continued support for the Regional Planning Consortium of Rio South Texas throughout the planning process.

PASSED AND APPROVED on this 20th day of September 2011.

/s/ Miguel D. Wise, MAYOR

ATTEST:

/s/ Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

/s/ Ramon Vela, CITY ATTORNEY

IV. APPOINTMENTS

- A. Discussion and consideration to approve Resolution 2011-52 to fill the unexpired term of one member from Place 1 on the Board of Directors of the Economic Development Corporation of Weslaco. (Item as requested by Commissioners Garza and Noriega.)
- B. Discussion and consideration to approve Resolution 2011-53 to fill the unexpired term of one member from Place 7 on the Board of Directors of the Economic Development Corporation of Weslaco. (Item as requested by Commissioners Garza and Noriega.)

Considering items IV. A. and B. as posted concurrently, Commissioner Garza explained that since Mr. Givilancz moved outside the boundaries of Place 1, he is disqualified from service on the EDC board in that place; however, since current board member resides in Place 1 already, the Commissioner proposed keeping the board composition intact by simply exchanging dedicated places on the board. The Mayor, who nominates Place 7 appointments, stated he was amenable to the “swap.”

Commissioner Garza, seconded by Mayor Pro-tem Cuellar, moved to approve Resolution 2011-52 appointing Lina Lawrence to fill the unexpired term of one member from Place 1 and Resolution 2011-53 appointing Mike Givilancz to fill the unexpired term of one member from Place 7 on the Board of Directors of the Economic Development Corporation of Weslaco. The motion carried unanimously; Mayor Wise was present, but not voting.

V. OLD BUSINESS

- A. Discussion and consideration to authorize renewal of an Interlocal Governmental Agreement with the Hidalgo County Emergency Services District No. 1 on the same terms and conditions by which the City provides emergency ambulance service with not less than two ambulances to those areas of rural Hidalgo County within the established boundaries of the District and the District agrees to pay the City the sum of \$75,000.00 for the period October 1, 2011 through September 30, 2012 and authorize the Mayor to execute any related documents. Possible action. (There was no action on this item September 6, 2011.) Attachment.

City Manager proposed scaled increases and recommended approval. The Mayor Pro-Tem stated that just as non-profit organizations are given notice of budget reductions revenue, for-profit entities are given notice of proposed increases in fees for services. Commissioner Rivera, seconded by Commissioner Martinez, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

VI. NEW BUSINESS

- A. Discussion and consideration to approve the Cost of Service Adjustment (COSA) filing by Texas Gas Services effective August 1, 2011 for an increase of \$1.05/month for the average residential user. First Reading of Ordinance 2011-27. Possible action. Attachment.

The City Manager stated that a coalition of cities in the Rio Grande Valley challenged the proposed increases, successfully limiting the potential charges. Mayor Pro-Tem Cuellar, seconded by Commissioner Garza, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

- B. Discussion and consideration to approve the workplan and budget for the Economic Development Corporation of Weslaco for fiscal year 2011-2012. Possible action. Attachment.

The City Manager stated that as the EDC is separately chartered, the law requires presentation of the workplan. Mr. Hernan Gonzalez reported that proposed work for the upcoming fiscal year includes the construction of the business, visitor, and event center; the cost share to lengthen the runway at the Mid-Valley Airport; the construction of additional hangars there; and 100% occupancy of the central business district. He presented a balanced budget of \$4.1 million.

Mayor Pro-Tem Cuellar, seconded by Commissioner Martinez, moved to approve the item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

VII. CITY MANAGER'S REPORT

- A. Report on Departmental Update, Financial Status, Upcoming Meetings and Appointments.

Sonia Flores, Assistant Finance Director, reported a Sales Tax increase of 0.1% and the capture of 94% ad valorem tax; she stated the City is 1% off-budget in the general fund with one week remaining in the fiscal year.

VIII. PUBLIC COMMENTS

There were no public comments.

IX. EXECUTIVE SESSION

X. POSSIBLE ACTION ON WHAT IS DISCUSSED IN EXECUTIVE SESSION

There were no executive session items posted and the Commission did not convene in Executive Session.

- Add A. Discussion and consideration to approve a request to utilize 2nd pavilion from the back at the Weslaco City Park by Juan Jaramillo, President of “Outlaw Familia” Car & Truck Club, to benefit the American Cancer Society on Sunday, September 25, 2011 from 10:00 a.m. to 6:00 p.m. and waive all fees associated with the event. Possible action. (Item as requested by Commissioners Rivera and Martinez.) Attachments.

Commissioner Rivera, seconded by Commissioner Martinez, moved to approve the addendum item as presented. The motion carried unanimously; Mayor Wise was present, but not voting.

XI. ADJOURNMENT

With no other business before the Commission, at 6:40 p.m. Commissioner Tafolla, seconded by Commissioner Garza, moved to adjourn the September 20, 2011 meeting. The motion carried unanimously; Mayor Wise was present, but not voting.

CITY OF WESLACO

MAYOR, Miguel D. Wise

ATTEST:

CITY SECRETARY, Elizabeth M. Walker

MAYOR PRO-TEM, J.F. “Johnny” Cuellar

COMMISSIONER, Robert J. Garza

COMMISSIONER, Olga M. Noriega

COMMISSIONER, Gerardo “Gerry” Tafolla

COMMISSIONER, Lupe V. Rivera

COMMISSIONER, Joe A. Martinez